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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Patrice L. Scheib

Serial No.: 09/824,276

Examiner: Hansen, Colby M.

Filed: April 2, 2001

Group Art Unit: 3682

Title: FIRST GEAR/REVERSE GATE INDICATOR SWITCH

Mail Stop Appeal Brief-Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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REPLY BRIEF

Sir:

Responsive to the Examiner's Answer dated January 13, 2004, please consider the following remarks.

REMARKS

In the Examiner's Answer, the Examiner asserted that "it would have been obvious to have modified Reynolds, specifically the internal structure of the shift indicator mechanism acted on by the plunger 144, with only the mechanical attributes of the shift indicator system of Jones, specifically the plunger 110 having an arcuate surface 122, and shift sensor mechanism 132, 138" (p. 3). Appellant respectfully disagrees.

The Examiner has not provided sufficient reasons explaining why there is a "clear motivation to modify Reynolds in view of Jones" (p. 3). Simply stating that Reynolds shows a generic shift indicating mechanism acted upon by a plunger and that Jones teaches a shaft with an arcuate surface is not enough to show a motivation to combine the two references. "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." MPEP § 2143.01. Applicant therefore reiterates that there is no motivation to combine Reynolds with Jones to suggest the claimed invention.